

REMARKS

***Summary of the Amendment***

By this Amendment, claims 31, 33 and 53 are amended. Claims 13-56 are pending with claims 13-30, 36-52 and 54 being withdrawn by the Examiner.

***Summary of the Official Action***

In the instant Office Action, the Examiner rejected claims 31-35, 53, 55 and 56 over the art of record. By the present remarks, Applicant submits that the rejection should be withdrawn, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

***Present Amendment is proper for entry***

Applicant respectfully submits that the instant amendment is proper for entry after final rejection. Applicant notes that no question of new matter is presented nor are any new issues raised in entering the instant amendment of the claims and that no new search would be required. Moreover, Applicant submits that the instant amendment places the application in condition for allowance. Accordingly, Applicant requests the Examiner to enter the instant amendment, consider the merits of the same, and indicate the allowability of the present application and each of the pending claims. Applicant notes, in particular, that the Examiner indicated in the Interview of April 23, 2008 that amending rejected claims 31, 33 and 53 to recite certain features would define over the applied art subject to further

search and consideration. As such, the Examiner should exercise his discretion, consider the merits of the instant amendment, and indicate allowability of the instant claims.

***Interview of April 23, 2008***

Applicant appreciates the courtesy extended by Examiner Stoner in the interview of April 23, 2008.

In that interview, Applicant's representative discussed, among other things, that at least claims 31, 33 and 53 are not disclosed or suggested by STEIGERWALD. The Examiner disagreed explaining, among other things, that these claims can be broadly interpreted to disclose the recited length and overall width of the profiled cross-section of the parts as well as the recited clamping arrangements. The Examiner, however, agreed that if certain amendments were made to claims 31, 33 and 53, he would withdraw the rejection based on STEIGERWALD, subject to further search and consideration.

While Applicant believes that the Examiner's arguments and broad interpretations in support of the rejection are improper and unsupported by the actual disclosure of STEIGERWALD, Applicant has herein nevertheless amended the claims as proposed in the Interview in an effort to advance prosecution and possibly place the application in condition for allowance.

***Traversal of Rejection Under 35 U.S.C. § 102***

Applicant traverses the rejection of claims 31-35, 53, 55 and 56 under 35 U.S.C. § 102(b) as anticipated by US Patent No. 3,732,613 to STEIGERWALD.  
(P25052.00438253.DOC)

The Examiner asserted that this document discloses all the features recited in these claims.

Applicant respectfully traverses this rejection for the reasons already made of record. Applicant also submits that this rejection is improper because Applicant has amended claims 31, 33 and 53 in a manner which was indicated by the Examiner in the Interview of April 23, 2008 to define over STEIGERWALD.

Thus, Applicant submits that the above-noted claims are not disclosed, or even suggested, by any proper reading of STEIGERWALD.

Because the applied document fails to disclose or suggest at least the above-noted features of the instant invention, Applicant submits that any proper reading of this document fails to render anticipated, or even unpatentable, the combination of features recited in at least independent claims 31, 33 and 53.

Moreover, Applicant submits that dependent claims 32, 34, 35, 55 and 56 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b).

### ***Request for Rejoinder of Non-Elected Claims***

Applicant submits that rejoinder of withdrawn claims 36-51 is now proper. At the very least, claims 36-51 should be rejoined because these claims depend from claim 33 which is believed to be allowable. Applicant refers the Examiner to MPEP 821.04 which

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indicates that withdrawn claims which depend from or otherwise include all the limitations of the allowable claims will be rejoined if presented prior to allowance and issuance of a final rejection. Accordingly, Applicant requests that the Examiner rejoin all the withdrawn claims directed to the non-elected invention and consider the merits of the same.

### CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicant's invention, as recited in each of the pending claims. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

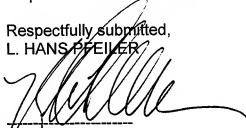
Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

P25052.A20

The Commissioner is hereby authorized to refund excess payments and charge any additional fee necessary to have this paper entered to Deposit Account No. 19-0089.

Respectfully submitted,  
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